

**IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL**

Writ Petition No. 1074 (S/S) of 2007

Sunder Singh Rawat aged about 57 years
S/o Late Jeet Singh Rawat
Posted as Auditor, District Audit Office, Narendra Nagar
District- Tehri Garhwal ----- Petitioner

Versus

1. Director Treasury and finance Svices, Co-State Internal
Audit Uttarakhand, 23 Laxme Road, Dalanwala, Dehradun
2. District Audit Officer, Narendranagar, Tehri Garhwal
----- Respondent

Hon'ble M.M. Ghildiyal, J.

Heard Sri S.K. Mandal, learned counsel for the petitioner and
Sri N.P. Shah, learned Standing Counsel State of Uttarakhand for
the respondents.

By means of this writ petition, the petitioner has challenged
the impugned transfer order dated 14.07.2007, by which the
petitioner, who is working as Auditor, has been transferred from
the office of District Audit Office, Narendranagar, Tehri Garhwal to
District Audit Office, Chamoli.

This order has been assailed by the petitioner mainly on
three grounds. First, that the petitioner's wife is seriously ill and is
confined to bed and if the petitioner is transferred, there is no one
to look after her. Second, that the petitioner is 57 years old and
the last is that there are four posts of Auditor, against which only
the petitioner is working and the remaining three posts are still
vacant, and in case, the petitioner is transferred there is no one to
discharge the duty of Auditor in the department.

Learned counsel for the petitioner has submitted that raising all his grievances, the petitioner has already moved a representation on 07.07.2007 to respondent no. 1, which is still pending. Learned counsel for the petitioner has further submitted that respondent no.2, District Audit Officer, Narendranagar, Tehri Garhwal has already recommended the representation of the petitioner and till 18th July, 2007, because of the recommendation of respondent no. 2, the petitioner has not been relieved. Learned counsel for the petitioner has alleged that considering all these circumstances, petitioner should not have been transferred.

In the circumstances aforesaid, I deem it fit and proper to direct the respondent no. 1 to decide the representation of the petitioner dated 07.07.2007 by a speaking order on all the grounds raised by the petitioner within a period of two weeks from the date of production of a certified copy of this order before him.

With this direction, the writ petition is finally disposed of. All the pending applications stand disposed of.

(M.M. Ghildiyal, J.)

16.08.2007
VKS